IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

COMPANY PETITION NO.626 OF 2002

Siegfried Jacob Gmbh & Co. KG. ...Petitioner.

Versus

Sirosmelt India Ltd. ...Respondent.

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Mr. V.K. Rambhadran for the Petitioner.
None for the Respondent.

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**CORAM : DR. D.Y. CHANDRACHUD, J.**

June 22, 2007.

**P.C.:**

The claim in the Company Petition arises out of goods sold, supplied and delivered. By a letter at Exhibit 1 to the Company Petition, the Company pleaded its financial difficulty. There was no appearance on behalf of the Company at the stage of admission and the petition came to be admitted. Despite service, the Company failed to respond to the petition. An affidavit of service dated 11th April 2007 containing therein proof of publication in the newspapers has been duly filed. In the circumstances, from the facts before the Court, it is evident that the Company is unable to pay its debt. The

Company Petition is accordingly, made absolute in terms of prayer clauses (a) and (b).

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